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Agenda item 117 and 156

Human rights questions

Measures to eliminate international terrorism

Letter dated 10 December 2003 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to inform you that on 20 June 2003, Olga Salanueva Arango and Adriana Pérez Oconor, wives respectively of René González Sehwerert and Gerardo Hernández Nordelo, applied via the Ministry of Foreign Affairs of the Republic of Cuba to the United States authorities for visas so that they could travel to the United States of America to visit their husbands who are being held, unjustly, in United States prisons.

More than four months after they submitted the applications, despite numerous requests from the Ministry of Foreign Affairs for an answer, the authorities at the United States Interests Section in Havana have officially reported that both women's application have again been denied.

With this further reprisal, the United States Government seeks to break the revolutionary spirit of our imprisoned comrades and their wives and adds to their punishment without any justification.

They are again being denied the right to travel to the United States to visit their husbands. Each time they have asked for permission to enter the United States the Government of that county has refused it, thereby flouting not only international law but also United States law. To justify their decision, the United States authorities have come up with the ridiculous argument that the wives pose a threat to the national security of the United States of America.

This decision of the United States authorities violates the United States international obligations as set forth, inter alia in the Declaration on the Protection of All Persons from being subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the principles for the protection of all persons deprived of their liberty, the principles for the protection of all persons under any

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form of detention or imprisonment and the Standard Minimum rules for the Treatment of Prisoners.

The conduct of the Government of the United States of America is not only clearly contrary to universally recognized international norms but is also a systematic and flagrant violation of the human rights of René González Sehwerert and Gerardo Hernández Nordelo and of their relatives.

This decision demonstrates how eager the United States authorities are to punish our heroic prisoners for their heroism and patriotism so as to please their buddies in southern Florida.

For over 40 years, successive United States administrations have organized and encouraged, or permitted the commission of numerous terrorist acts against Cuba; these acts have claimed nationals of other countries, including the United States, as victims. These actions have not ceased and those responsible for them act with total impunity. Some of them are strolling in the streets of Miami and speaking over the media, inciting others to commit such acts.

The Government of the United States, which proclaims itself the leader in the fight against international terrorism, which imprisons our compatriots precisely because they have penetrated the terrorist groups that operate freely against Cuba from United States territory with the protection of the authorities, as is explicitly recorded in official documents that Washington has declassified and as was repeated, furthermore, in the charges against the Cuban patriots at their trial; in the statements by the prosecutor, who argued that the issue of terrorism should not be considered at the trial; in the statements of the witnesses, who acknowledged their participation in such actions; and in the court's ruling where it is stated, in writing, that the terrorists enjoy the protection of, and are encouraged and protected by, the United States Government.

It is that same Government which, despite all the information that it has been given about those groups, has failed to take any steps to curb and put a stop to these actions.

It is the same Government that rejects Cuba's proposals to enter into agreements concerning cooperation in the fight against terrorism, drug trafficking and illegal emigration.

I have the honour to request that this letter be circulated as a document of the General Assembly under agenda items 117 and 156.

(*Signed*) Bruno Rodríguez **Parrilla**
Ambassador
Permanent Representative

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Security Council

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General Assembly
Fifty-eighth session
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Human rights questions: implementation of human rights instruments

Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Security Council
Fifty-eighth year

Letter dated 10 December 2003 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 10 December 2003, addressed to you by Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly under agenda items 117 (a) and (b), and of the Security Council.

(*Signed*) Ümit **Pamir**
Ambassador
Permanent Representative

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Annex to the letter dated 10 December 2003 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

10 December 2003

Upon instructions from my Government, I have the honour to refer to the letter dated 17 November 2003 addressed to you by the Greek Cypriot Representative to the United Nations, which was circulated as a document of the General Assembly and of the Security Council (A/58/603-S/2003/1101), and to bring to your kind attention the following pertinent facts concerning the matter.

The Greek Cypriot Representative in his present letter, as in his last letter, has chosen to make hasty baseless allegations which will no doubt be refuted by developments and emerging facts. It should be recalled that the allegations of the Greek Cypriot Representative in relation to the daily *Afrika* newspaper were dealt with in my previous letter. Unlike the rushed conclusions of the Greek Cypriot representative, the said newspaper continues to operate freely with full and unhindered participation of all its personnel and journalists, which corroborates once again the fact that the politically motivated allegations of the Greek Cypriot Representative were completely unfounded. The said newspaper, together with two State-owned and four privately owned television channels, three university-run, eight private and three State-owned radio stations, 11 daily newspapers and various other publications, are free to propagate any political thought and opinion in the Turkish Republic of Northern Cyprus subject only to the laws of defamation and libel, as in any other country. It should therefore be stressed once again that the people of the Turkish Republic of Northern Cyprus enjoy to the full the freedom of the press and the freedoms of expression, speech and assembly, and that such rights are enshrined in and protected by the Constitution of the Turkish Republic of Northern Cyprus. Indeed, this is confirmed by various human rights reports of independent organizations as well as the annual human rights reports of the United States Department of State, including the most recent one released on 31 March 2003.

Unfortunately, the Greek Cypriot Representative, who is well aware of the nature and the quality of our democracy, continues in his present letter with his politically motivated and slanderous accusations. Regarding fictitious cases mentioned in his letter, the truth of the matter is that a State prosecutor has initiated a preliminary investigation into the claims that in their articles the journalists in question have violated the libel and defamation laws of the Turkish Republic of Northern Cyprus. Contrary to the claims of the Greek Cypriot Representative, the involvement, at this stage, of any court is out of the question. In a democratic environment, it is true that adherence to and protection of the freedom of the press and the freedoms of expression and speech are among the main responsibilities of a State towards its citizens. It is also true that protecting its citizens' dignity as well as the dignity of the institutions that the State is built around is a responsibility of no lesser importance.

It is obvious that the aim of these baseless allegations of the Greek Cypriot representative is to divert the attention from the real issues prevailing in the island, in particular, the continuation of the all-embracing embargoes imposed on the Turkish Cypriot people and the totally negative position adopted by the Greek

Cypriot administration vis-à-vis the confidence-building measures of the Turkish Cypriot side. Mr. Mavroyiannis may diligently try to create a smoke screen in order to reduce the impact of the latest revelations of the Greek Cypriot leadership. He cannot, however, hide the fact that the following two excerpts from recent admissions by the Greek Cypriot leadership are the epitome of the insincerity and bad faith displayed in the negotiating process by the Greek Cypriot side throughout these years. Although such revelations have not surprised the Turkish Cypriot side, our hope is that they would help the international community to better judge the parties in Cyprus. Tassos Papadopoulos, the incumbent Greek Cypriot leader, and Glafcos Clerides, his predecessor, recently went public with the truth.

Mr. Papadopoulos has said and I quote:

> "I would not have signed the United Nations document (for a Cyprus settlement) event if Denktaş had" (the Greek Cypriot daily, *Politis*, 23 November 2003).

Mr. Clerides, so as not to be perceived as a less intransigent thus less patriotic leader than his successor before Greek Cypriot public opinion, hastily revealed the following:

> "*We have achieved our objective of European Union membership without accepting anything and without making any concessions (at the negotiations) and putting the blame for the failure (of the talks) on the Turkish side*" (the Greek Cypriot daily, *Mahi*, 1 December 2003).

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 117 (a) and (b), and of the Security Council.

(*Signed*) Reşat **Çağlar**
Representative
Turkish Republic of Northern Cyprus